



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/899,345	07/05/2001	Allen Yu	10015353-1	2176

7590 06/26/2006
HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER	
CAMPBELL, JOSHUA D	
ART UNIT	PAPER NUMBER
2178	

DATE MAILED: 06/26/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/899,345

Applicant(s)

YU, ALLEN

Examiner

Joshua D. Campbell

Art Unit

2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 April 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-11,13-21,23 and 24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-11,13-21,23 and 24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- 1) ☐ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>4/10/2006</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to communications: Amendment and IDS filed on 4/10/2006.
2. Claims 1, 3-11, 13-21, 23, and 24 are pending in this case. Claims 1, 11, 16, 20, and 23 are independent claims. Claim 22 has been cancelled. Claims 1, 11, 16, 20, and 23

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 3-11, and 13-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Knight et al. (hereinafter Knight, US Patent Number 6,493,703, filed on May 11, 1999) in view of Tso (US Patent Number 6,742,047, filed on December 30, 1997) further in view of Williams (US Patent Application Publication Number 2001/0054029, filed on June 12, 2001).

Regarding independent claim 1, Knight discloses a method in which pluralities of resources (digital objects) are associated with keywords (column 19, line 33-column 20, line 20 of Knight). User activity levels for keywords are obtained based on access of users that belong to a community (column 25, line 23-column 26, line 54 of Knight). The activity levels are prioritized for the keywords within the community and digital

objects are delivered based on the communities' keywords that have high user activity levels (column 25, line 23-column 26, line 54 of Knight). Knight does not disclose that topical categories are accessed that include a plurality of keywords associated with them. However, Tso discloses a method in which the keywords are obtained from a list of topical categories that have keywords associated with them (column 2, lines 6-64 and column 7, lines 16-30 of Tso). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the methods of Knight and Tso because it would have provided a better method of dynamic organization to keep pace with the increasing number of new documents.

Neither Knight nor Tso disclose a method in which period of time since user activity occurred is used to weight activities. However, Williams discloses a method in which the presentation of specific digital objects is based on the amount of time that has passed since the user last viewed the object (page 1, paragraph 0005 of Williams). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the methods of Knight and Tso with the method of Williams because it would have allowed all objects an equal chance to be delivered as often as the other objects.

Regarding dependent claims 3 and 4, Knight discloses a method in which the objects are delivered based on the aggregated activity of the community, this activity being recorded on an aggregate community basis (column 25, line 23-column 26, line 54 of Knight).

Regarding dependent claim 5, Knight discloses a method in which the activity levels are recorded on an individual basis then aggregated to determine the community levels of activity (column 25, line 23-column 26, line 54 of Knight).

Regarding dependent claims 6 and 7, Knight discloses that a user may be in more than one community and a community may support many users (column 19, line 33-column 20, line 20 of Knight).

Regarding dependent claim 8, Knight discloses a method in which the type of the community is determined by using keyword pattern recognition (column 19, line 33-column 20, line 20 of Knight).

Regarding dependent claims 9 and 10, Knight discloses a method in which the content editors define the community (subscription service) and also discloses a method in which the users define the community (subscribing to specific communities) (column 19, line 33-column 20, line 20 of Knight).

Regarding independent claim 11 and dependent claims 13-15, the claims incorporate substantially similar subject matter as claims 1 and 3-5. Thus, the claims are rejected along the same rationale as claims 1 and 3-5.

5. Claims 16-18 and 20, 21, 23, and 24 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Knight et al. (hereinafter Knight, US Patent Number 6,493,703, filed on May 11, 1999) in view of Tso (US Patent Number 6,742,047, filed on December 30, 1997).

Regarding independent claim 16, Knight discloses a method in which pluralities of resources (digital objects) are associated with keywords (column 19, line 33-column 20, line 20 of Knight). User activity levels for keywords are obtained based on access of users that belong to a community (column 25, line 23-column 26, line 54 of Knight). The activity levels are prioritized for the keywords within the community and digital objects are delivered based on the communities' keywords that have high user activity levels (column 25, line 23-column 26, line 54 of Knight). Knight does not disclose that search contexts are accessed that include a plurality of keywords associated with them. However, Tso discloses a method in which the keywords are obtained from a list of topical categories (search contexts) that have keywords associated with them (column 2, lines 6-64 and column 7, lines 16-30 of Tso). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the methods of Knight and Tso because it would have provided a better method of dynamic organization to keep pace with the increasing number of new documents.

Regarding dependent claims 17 and 18, Knight discloses a method in which search results are weighted based on user activity levels and then ranked based on the weighting ().

Regarding independent claim 20, Knight discloses a method in which pluralities of resources (digital objects), including news sources, are associated with keywords (column 19, line 33-column 20, line 20 of Knight). User activity levels for keywords are obtained based on access of users that belong to a community (column

25, line 23-column 26, line 54 of Knight). The activity levels are prioritized for the keywords within the community and digital objects are delivered based on the communities' keywords that have high user activity levels (column 25, line 23-column 26, line 54 of Knight). Knight does not disclose that topical categories are accessed that include a plurality of keywords associated with them. However, Tso discloses a method in which the keywords are obtained from a list of topical categories that have keywords associated with them (column 2, lines 6-64 and column 7, lines 16-30 of Tso). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the methods of Knight and Tso because it would have provided a better method of dynamic organization to keep pace with the increasing number of new documents.

Regarding dependent claim 21, Knight discloses a method in which the objects are delivered based on objects having a higher aggregated activity of the community, this activity being recorded on an aggregate community basis (column 25, line 23-column 26, line 54 of Knight).

Regarding independent claim 23, the claim incorporates substantially similar subject matter as claim 1. Thus, the claim is rejected along the same rationale as claim 1.

Regarding dependent claim 24, Knight discloses a method in which pluralities of resources (digital objects) are associated with keywords; these resources are posts on an online message board (which by definition are a webpage of website and a document) (column 19, line 33-column 20, line 20 of Knight).

6. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Knight et al. (hereinafter Knight, US Patent Number 6,493,703, filed on May 11, 1999) in view of Tso (US Patent Number 6,742,047, filed on December 30, 1997) further in view of Davis et al. (hereinafter Davis, US Patent Number 6,269,361, issued on June 31, 2001).

Regarding dependent claim 19, neither Knight nor Tso disclose a method in which an activity count is incremented for resource selection based on a search context. However, Davis discloses a method in which resource selection based on a search is counted by incrementing a counter in order to keep track of user selections (column 21, line 66-column 22, line 53 of Davis). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the methods of Knight and Tso with the method of Davis because as disclosed by Davis this process was a well-known process in the art.

Response to Arguments

7. Applicant's arguments filed 04/10/2006 have been fully considered but they are not persuasive.

Regarding the applicant's arguments on page 11, in reference to the Williams reference and the limitation "...weighing user activities associated with keywords, based on a time period that has passed since user activity occurred for users belonging to an aggregate communities," the examiner maintains that this rejection remains proper. Williams discloses a method in which the presentation of specific digital objects is based

on the amount of time that has passed since the user last viewed the object (page 1, paragraph 0005 of Williams). The motivation to combine these references can be found above and is proper and thus the rejection stands.

8. Applicant's arguments with respect to claims 1, 3-11, 13-21, 23, and 24 and the amended limitations contained within the independent claims have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

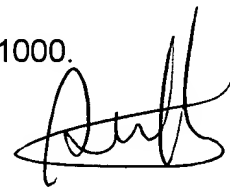
9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joshua D. Campbell whose telephone number is (571) 272-4133. The examiner can normally be reached on M-F (7:30 AM - 4:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



JDC
June 21, 2006

STEPHEN HONG
SUPERVISORY PATENT EXAMINER